

This record is a partial extract of the original cable. The full text of the original cable is not available.

210631Z Oct 05

C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001837

SIPDIS

E.O. 12958: DECL: 10/21/2015

TAGS: [PTER](#) [PGOV](#) [PHUM](#) [PREL](#) [CE](#) [LTTE](#)

SUBJECT: TWO ENVOYS MAKE LITTLE PROGRESS ON HUMAN RIGHTS AND CEASE-FIRE

REF: COLOMBO 1830

Classified By: Ambassador Jeffrey J. Lunstead for reasons 1.4 (b and d).

1. (SBU) SUMMARY: Former Amnesty International head Ian Martin found the GSL eager to inject a human rights component into the peace process, but the LTTE rejected any discussion of human rights until after talks on the cease-fire had resumed. Former Sri Lanka Monitoring Mission head General (ret.) Trond Furuhoide got much the same: the GSL is ready to have talks on the cease-fire agreement, but the LTTE won't do anything until after the Presidential elections.

Human Rights Later  
-----

2. (U) Ian Martin, former head of Amnesty International and now working for the United Nations in Nepal, visited Sri Lanka October 12-16 to follow up on the human rights aspects of the peace process on which he had been involved during the peace talks between the GSL and the LTTE. (Martin had worked on a draft joint memorandum on human rights after both parties expressed interest in the idea at the last round of peace talks in Hakone, Japan in April 2003. The memorandum was to have been presented to both parties at the next round of talks that never took place.) Martin's return to Sri Lanka stemmed from a joint invitation from the LTTE and the GSL Peace Secretariat (brokered by the Norwegians).

SIPDIS

3. (SBU) In two briefings with diplomats during the week attended by DCM, Martin said he had found the GSL, in particular Peace Secretariat chief Jayantha Dhanapala, very enthusiastic about dusting off the document Martin had prepared for the peace talks ("sort of a human rights road map," Martin said). Beyond a joint declaration on human rights, Dhanapala told Martin the GSL continued to support human rights training for both sides and was receptive to the idea of strengthening the human rights element of cease-fire monitoring (perhaps by adding a human rights component to the Sri Lanka Monitoring Mission - SLMM).

4. (SBU) Not surprisingly, Martin found a different atmosphere in Kilinochchi when he met with LTTE political chief Tamilchelvan (Martin saw him right after Tamilchelvan meet with Norwegian envoy Trond Furuhoide with whom Martin traveled to and from Kilinochchi). Tamilchelvan said the LTTE a joint human rights declaration was "possible and feasible" but that it could not happen in advance of talks with the GSL on improving cease-fire implementation (Tamilchelvan said the LTTE was "anxious" to participate in such talks if the venue issue could be resolved). Tamilchelvan was receptive to the idea of human rights training (a UN human rights official who attended one of the briefings said the UN has conducted seventeen human rights training sessions for the LTTE since the CFA came into effect). Martin commented that Tamilchelvan's anger over the EU travel ban was "palpable."

5. (SBU) In terms of human rights monitoring, Martin said the LTTE was adamant that only an international body could do the job in Sri Lanka since the Human Rights Commission (HRC) was not to be trusted, nor was any other entity in Sri Lanka. (Comment: The LTTE murdered the last head of the HRC, Neelan Tiruchelvam, and hates his successor, Radhika Coomaraswamy, herself a Tamil, considering her a traitor to the Tamil cause.) Tamilchelvan complained that whenever there is an incident in GSL-controlled territory, the government blames

the LTTE but does not conduct any sort of serious investigation (Martin said the GSL, on the same subject, complained that they cannot conduct investigations since the perpetrators and key witnesses always disappear into LTTE-controlled areas). Martin said the LTTE was very angry about an attack on senior LTTE cadres in the East the day before he went to Kilinochchi, but tightlipped about the murder of two school principals in Jaffna the same day. Martin said he pushed hard on the general issue of political killings but "got nowhere" with Tamilchelvan.

16. (SBU) Martin held meetings in Kilinochchi with the North East Secretariat of Human Rights (NESOHR), the LTTE-created human rights organization and attended a ceremony in which NESOHR "released" twenty-five child "volunteers" who had been handed over to them by the LTTE (Martin said he insisted that the SLMM and UNICEF also be present). Martin said the relationship between the LTTE and UNICEF seemed to perhaps be rebounding after a recent visit to Kilinochchi by the new UNICEF country representative. There had been sixty-five child soldier releases over the past month, the highest figure is quite some time, according to Martin.

17. (SBU) Asked whether, in his view, NESOHR was an LTTE front organization or a genuine human rights group, Martin said it is somewhere in between. Obviously, Father Karunaratnam, the head of NESOHR, could not publicly challenge the LTTE on human rights issues. But, behind the scenes he has presented a number of cases to LTTE intelligence about missing persons, etc., Martin said, and has been trying to effect positive change on human rights issues for years within the "straitjacket" of having to live with the LTTE. Martin said he had brokered a meeting between Karunaratnam and Human Rights Commission head Radhika Coomaraswamy during his visit and that it had gone well. "They really hit it off." Martin thought it would lead to quiet sharing of cases, etc. between the two groups although no formal link would or could occur.

18. (SBU) Martin said he would prepare a paper for both sides after his visit, laying out possible areas for progress on human rights issues but that he did not have any expectation of movement in light of the impending Presidential elections and LTTE insistence that nothing was possible until CFA talks were held. Martin said it is unlikely he'll be back anytime soon.

#### No Cease-Fire Talks Either

19. (U) Retired Norwegian General and former head of the Sri Lanka Monitoring Mission Trond Furuhovde visited Sri Lanka at roughly the same time specifically to see if he could make progress on convening talks on better implementation of the cease-fire agreement. (GSL and LTTE have agreed in principle, but have been unable to agree on a venue, with the Tigers insisting on a "neutral," i.e., outside of Sri Lanka, site.) Furuhovde briefed Co-Chair Chiefs of Mission, including Ambassador, on Oct. 18.

110. (SBU) Furuhovde said that he had come back to Sri Lanka knowing there was little chance of movement, because Norway wanted to "keep the conversation going" and to fill the perceived gap that nothing is happening on the peace process. Furuhovde said that both sides stated their interest in keeping the Cease-Fire Agreement (CFA) going, and they both said they wanted to strengthen it. GSL Peace Secretariat head Jayantha Dhanapala said the GSL wanted to add some type of enforcement or policing element to the CFA, instead of the current system where all responsibility lies with the two parties. The LTTE's Tamilchelvan, by contrast, wanted to stick to the current concept of self-enforcement. The Tigers continued to insist on a "neutral" venue outside of Sri Lanka for any talks, but anyway were not prepared for any talks before the November 17 Presidential election.

111. (SBU) Giving his more general impressions, Furuhovde said that he believed that the LTTE shock at the EU travel ban had now worn off, but that the Tigers understood that the international community was now watching them closely.

Furuhovde had the impression that the LTTE had discussed the current situation in its Central Committee and decided on a strategy. The first point is that they would wait for the outcome of the Presidential election before any major decisions. The Tigers understand the differences between Ranil and Mahinda, and have drawn up two scenarios, depending on the election outcome. Furuhovde noted that Prabhakaran's annual Heroes' Day Speech will be delivered on Nov. 27, just ten days after the election, and would no doubt give an indication where the LTTE was heading.

12. (SBU) Furuhovde said the nature of the war had changed, with both sides now engaged in what he called a "subversive war." While the GSL was using paramilitary groups such as the Karuna faction, the LTTE was also using a type of paramilitaries--lightly-trained irregulars, not controlled by combat headquarters who would be given a weapon and a specific task. The spate of grenade attacks in Trincomalee (reftel) was a perfect example of this type of action. Furuhovde said the lack of clear control over these elements was disturbing. He speculated that this type of LTTE attack might soon spread from Trinco to Jaffna.

13. (SBU) COMMENT: We can draw several conclusions from these discussions:  
--Not surprisingly, there will be no breakthroughs before the Presidential election.  
--No matter who wins, restarting the negotiating process will be difficult.  
LUNSTEAD